

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

In re:
City of Detroit, Michigan,
Debtor.

Chapter 9
Case No. 13-53846
Hon. Steven W. Rhodes

/

Order Cancelling Hearing

At the request of the Official Committee of Retirees, the Court set a briefing schedule and hearing date to determine, in advance of plan voting and the hearing on plan confirmation, “whether the classification of retiree claims in the plan of adjustment violates the bankruptcy code.” *See* Second Amended Order Establishing Procedures, Deadlines and Hearing Dates Relating to the Debtor’s Plan of Adjustment (Dkt. #2937) (“the Plan Procedures Order”). The hearing on this issue was set for Friday, April 4, 2014, at 10:00 a.m.

On March 20, 2014, the City filed a Statement with Respect to the Classification of Retiree Claims in the Plan for Adjustment of Debts of the City of Detroit. (Dkt. # 3085) The City’s statement provides:

[A]fter further discussions with counsel for the Official Committee of Retirees regarding the classification of the OPEB Claims, the Debtors have decided to amend the Plan and place the OPEB Claims in a separate class. Counsel for the Retiree Committee has informed the City that this satisfies their concerns with respect to the classification of pension claims and OPEB Claims.

This statement reflects a resolution of the specific issue the Court intended to hear on April 4, 2014, as described in the Plan Procedures Order.

Accordingly, the issue having been resolved by agreement between the parties, the hearing set for Friday, April 4, 2014, regarding whether the classification of retiree claims in the

plan of adjustment violates the bankruptcy code is cancelled. The hearing is cancelled without prejudice to the right of any party to object on any ground, including improper classification of claims, as part of their objection to confirmation of the City's proposed plan of adjustment.

The Retirement Systems' Objection and Brief Regarding Classification of Retiree Pension Claims in the City's Proposed Plan of Adjustment (Dkt. #3142) and the Retired Detroit Police Members Association's Concurrence (Dkt. #3151) are therefore overruled without prejudice to the right of those parties to reassert their arguments in their objections to the City's plan of adjustment.

It is so ordered.

Signed on March 24, 2014

/s/ Steven Rhodes

**Steven Rhodes
United States Bankruptcy Judge**